

TOMATOES AND TOMATO PRODUCTS

21181. Adulteration of canned tomatoes. U. S. v. 141 Cases * * *. (F. D. C. No. 35396. Sample No. 73614-L.)

LIBEL FILED: August 25, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 12, 1953, by Thomas W. Spencer, from Rocks, Md.

PRODUCT: 141 cases, each containing 24 cans, of tomatoes at Philadelphia, Pa.

LABEL, IN PART: (Can) "Filco Brand Extra Standard Tomatoes Contents 1 Lb. 3 Oz.," "Orange and Black Brand Tomatoes Contents 1 Lb. 3 Oz.," or "Q and E Tomatoes Net Weight 1 Lb. 3 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: March 24, 1954. Default decree of condemnation and destruction.

21182. Adulteration of tomato paste. U. S. v. 47 Boxes * * *. (F. D. C. No. 36514. Sample No. 49757-L.)

LIBEL FILED: On or about April 23, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about April 18, 1951, from Italy.

PRODUCT: 47 boxes, each containing 6 10-pound cans, of tomato paste at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 14, 1954. Default decree of condemnation and destruction.

21183. Misbranding of tomato puree. U. S. v. 78 Cases * * *. (F. D. C. No. 35999. Sample No. 22449-L.)

LIBEL FILED: December 4, 1953, Western District of Louisiana.

ALLEGED SHIPMENT: On or about October 6, 1953, by the Taormina Co., from Donna, Tex.

PRODUCT: 78 cases, each containing 100 cans, of tomato puree at Shreveport, La.

LABEL, IN PART: (Can) "Buffalo Brand Net Weight 4¾ Oz. * * * Tomato Puree" or "Contents 4¾ Oz. Avoir. Texas Magic Tomato Puree."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids, the minimum permitted by the definition and standard.

DISPOSITION: January 26, 1954. Default decree of condemnation and destruction. Destruction was effected by the delivery of the product for the use of a Federal institution.

NUTS AND NUT PRODUCTS

21184. Adulteration of brazil nuts. U. S. v. 42 Cases * * *. (F. D. C. No. 36209. Sample No. 60132-L.)

LIBEL FILED: December 30, 1953, Northern District of Georgia.

ALLEGED SHIPMENT: On or about October 14, 1953, by Southgate Brokerage Co., Inc., from Norfolk, Va.

PRODUCT: 42 cases, each containing 24 bags, of brazil nuts at East Point, Ga.

LABEL, IN PART: (Bag) "Red Mill Our Best Grade Brazil Nuts * * * Net Weight One Pound."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed brazil nuts.

DISPOSITION: January 29, 1954. Default decree of condemnation and destruction.

21185. Adulteration of cashew nuts. U. S. v. 10 Tins, etc. (F. D. C. No. 36235. Sample Nos. 83375-L to 83377-L, incl.)

LIBEL FILED: January 14, 1954, District of Minnesota.

ALLEGED SHIPMENT: On or about May 14 and September 28, 1953, from New York, N. Y.

PRODUCT: 22 25-pound tins of cashew nuts at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 6, 1954. A default decree was entered providing for the destruction of the product unless denatured for use as animal feed.

21186. Adulteration of granulated cashew nuts. U. S. v. 6 Cases * * *. (F. D. C. No. 35990. Sample No. 83870-L.)

LIBEL FILED: November 25, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about October 30, 1953, by National Almond Products Co., Inc., from Brooklyn, N. Y.

PRODUCT: 6 cases of granulated cashew nuts at Minneapolis, Minn.

LABEL, IN PART: "Net 30 Lbs. 'National' Granulated Cashew Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, insects, and insect parts.

DISPOSITION: March 8, 1954. A default decree was entered providing for destruction of the product unless denatured for use as animal feed.

21187. Adulteration of peanut granules. U. S. v. 33 Cases * * *. (F. D. C. No. 35980. Sample No. 63524-L.)

LIBEL FILED: November 19, 1953, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 19 and 26, 1953, by Aster Nut Products Co., Inc., from Evansville, Ind.

PRODUCT: 33 30-pound cases of peanut granules at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect parts and rodent hair fragments; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.